

#### Members

Rep. Scott Mellinger, Chairperson  
Rep. Ed Mahern  
Rep. Win Moses  
Rep. Dean Mock  
Rep. William Ruppel  
Rep. P. Eric Turner  
Sen. Charles Meeks, Vice-Chairperson  
Sen. John Waterman  
Sen. Thomas Weatherwax  
Sen. John Broden  
Sen. Timothy Lanane  
Sen. Frank Mrvan



## INTERIM STUDY COMMITTEE ON STATE AND LOCAL GOVERNMENT ISSUES

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### MEETING MINUTES<sup>1</sup>

Meeting Date: October 1, 2001  
Meeting Time: 1:00 P.M.  
Meeting Place: State House, 200 W. Washington St.,  
Room 404  
Meeting City: Indianapolis, Indiana  
Meeting Number: 4

**Members Present:** Rep. Scott Mellinger, Chairperson; Rep. Ed Mahern; Sen. Charles Meeks, Vice-Chairperson; Sen. John Waterman; Sen. Frank Mrvan.

**Members Absent:** Rep. Win Moses; Rep. Dean Mock; Rep. William Ruppel; Rep. P. Eric Turner; Sen. Thomas Weatherwax; Sen. John Broden; Sen. Timothy Lanane.

#### **I. CALL TO ORDER**

This was a joint meeting with the Correction Matters Evaluation Committee. Together with Senator Waterman, chairman of the Correction Matters Evaluation Committee, Representative Mellinger call the meeting to order at 1:20 p.m.

The topics for discussion at this meeting were (1) the investigations of the Indiana State Police (ISP) and the Department of Correction (DOC) at the Putnamville Correctional Facility; and (2) the education system within the DOC.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

## II. PUTNAMVILLE CORRECTIONAL FACILITY INVESTIGATION

### Lieutenant Mark Mitchell, Detective, ISP

Lieutenant Mitchell was part of a five member team of Indiana State Policemen who conducted an eighteen month investigation of Putnamville Correctional Facility. The team investigated allegations of the existence of The Brotherhood, an alleged white supremacist organization, and improper treatment of inmates. Specifically, the team looked for evidence that would substantiate criminal charges, such as trafficking in narcotics or cigarettes and the battery of inmates. The team was unable to substantiate any of the allegations.

The team found no evidence of an organized white supremacist organization. Some facility employees had made inappropriate comments, but the DOC handled those employees through its internal disciplinary system. The team found no evidence of a white supremacist organization in the surrounding community. The Putnam County prosecutor reviewed the evidence gathered by the team and found no probable cause to bring charges against any facility employee.

The staff at Putnamville Correctional Facility and DOC cooperated with, and did not obstruct, the investigation. The ISP team was not threatened by facility employees or inmates. The investigation is still ongoing but is suspended until the ISP receives new information requiring the team to resume the investigation.

### Randy Koester, Legislative Liaison, DOC

The DOC investigated individual incidents of alleged racist behavior and physical abuse as they arose. The DOC did not conduct a comprehensive investigation of The Brotherhood. Mr. Koester was unaware of any additional complaints at the Putnamville facility. The Department of Justice is conducting an investigation at Putnamville based on the same allegations that led to the ISP investigation.

Mr. Koester distributed handouts to the committee members concerning the evolution of the Indiana Correctional Training Institute (CTI) logo. See *Exhibit A*. The original logo design was based on the recycling logo, three arrows in the shape of a triangle. The CTI logo design has three arrows in a circle around the seal of the State of Indiana; this design symbolized the DOC's commitment to recycling confined offenders into productive citizens.

A reporter at *NUVO*, an Indianapolis weekly newspaper, noticed that the intersections of the arrows looked like three Ks, or "KKK". DOC commissioned a new design for the CTI logo and instructed its employees not to wear the old pins. New CTI pins and certificates are available to all DOC staff.

### David Kirkham, Trooper, ISP

Trooper Kirkham is an eight-year veteran of the ISP. He is the lone ISP liaison with the eight correctional facilities in the Lowell district in northwest Indiana. Trooper Kirkham initiates investigations when DOC refers potentially criminal matters to ISP. Trooper Kirkham distributed data concerning criminal investigations in the facilities he serves. See *Exhibit B*.

According to Trooper Kirkham, no DOC employee has attempted to influence his investigation. He currently handles five active cases. He presents all the evidence he gathers in any case to the prosecutor for the county in which the facility is located. No prosecutor has filed charges in any of the 23 cases in which Trooper Kirkham presented evidence.

### Kathleen Ivancic

Ms. Ivancic is the mother of Charles Walters, an Indiana offender who was sent to Otter Creek Correctional Facility in Wheelwright, Kentucky. Following a series of riots in Otter Creek, Mr. Walters and the other Indiana inmates housed at Otter Creek have returned to Indiana; Mr. Walters is presently confined at the Indiana State Prison. Ms. Ivancic provided the committee a set of documents detailing her allegations that the riots

were not immediately reported in the local Kentucky newspapers. *See Exhibits C and D.*

Ms. Ivancic told the Committee that other offenders at Otter Creek beat her son, causing him to need two root canals. When she has spoken to DOC officials about her son's condition, they have indicated that there are no records of his root canals. Representative Mellinger stated that he will ask for a full response as to these matters from both the Governor and the DOC.

Jerry Laxson, Citizens United for the Rehabilitation of Errants (CURE)

Mr. Laxson testified that the DOC needs a better method of training offenders.

### **III. DOC EDUCATIONAL SYSTEMS**

This topic was brought before the committee at the request of Senator Weatherwax. Senator Weatherwax is concerned about the adequacy of staffing and funding for educational programs in the DOC. *See Exhibit E.*

Professor Joanna Wallace, Dean of the School of Continuing Education and Public Service, Ball State University

850 confined offenders are enrolled in Ball State's correctional education program at six different sites. Ball State offers three different degrees: associate; bachelor of general studies; and bachelor of science in history. This is a traditional liberal arts curriculum for which the confined offender receives credit time upon completion. Confined offenders who complete higher education degrees cost the DOC less because they are released earlier.

Based on anecdotal evidence, there is a lower recidivism rate among offenders who participate in these programs. The rate is even lower among offenders who complete degrees. The grants that are used to fund education for confined offenders are also available to the general public.

Doyle McAlister, Indiana State Teachers' Association

Mr. McAlister works with teachers who are employed in DOC facilities. Based on a 1992 study, 11 percent of confined offenders have a learning disability and 52 percent are illiterate. Nationally, the recidivism rate among offenders is 60 percent. At one DOC facility, the recidivism rate among offenders who began but did not complete a degree program was 11 percent; the rate among offenders who completed a degree program was 3 percent. It is Mr. McAlister's belief that the best service DOC can provide offenders is an education.

Mr. McAlister believes that the DOC curriculum is being neglected and that education programs in DOC facilities are underfunded. DOC classroom facilities are substandard and do not meet Department of Education requirements. Special education rules are routinely violated at DOC facilities, and DOC educators do not have adequate preparatory time.

### **IV. MISCELLANEOUS**

Kelsey Kauffman distributed to committee members a revised copy of her report, The Brotherhood, Racism and Intimidation Among Prison Staff at the Indiana Correctional Facility - Putnamville. *See Exhibit F.* A copy of Ms. Kauffman's report is also available at [www.prisonjustice.org](http://www.prisonjustice.org).

At the next meeting, Randy Koester will provide information about education funding at each DOC facility.

### **V. NEXT MEETING**

The next meeting of the Interim Study Committee for State and Local Government Issues will be held on Monday, October 15, 2001, at 1:00 p.m. in Room 130, Statehouse. This will be a joint meeting with the Correction Matters Evaluation Committee. The Interim

Study Committee for State and Local Government Issues will discuss the following topics: (1) education systems in the Department of Correction; and (2) the design-build method of project delivery for public construction. The Committee will consider proposals for legislation to be introduced on behalf of the committee. The Committee will also review and vote on a draft of its final report.

#### **VI. ADJOURNMENT**

Representative Mellinger and Senator Waterman adjourned the committees at 3:39 p.m.